

Consideration of preliminary adoption of rule amendment to 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8; Administrative Cause No. 16-080P

The proposed rule amendment of 312 IAC 8-2-5 allows the consumption of alcoholic beverage at Indiana Dunes State Park (“Dunes”) as authorized by IC 7.1-3-17.8. House Bill No. 1247 was legislated during the 2016 legislative session and created IC 7.1-3-17.8. This new legislation provides DNR the ability to apply to the Alcohol and Tobacco Commission for a three-way alcohol permit for Dunes and other state parks. IC 7.1-3-17.8 became effective July 1, 2016.

Dunes’ historic pavilion and surrounding area are currently going through a privately funded renovation and upgrade. This project would not be possible without private investors. A key portion of the investors’ plan involves the service of alcohol on the property.

Under the existing form of the 312 IAC 8-2-5, Dunes can receive a temporary alcohol permit to serve alcohol at the historic pavilion. This proposed rule amendment will slightly modify the scope of that permission, i.e., it will only change the format of the permit to coincide with the legislative intent of IC 7.1-3-17.8.

TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule
LSA Document #16-

DIGEST

Amends 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8. Effective 30 days after filing with the Publisher.

312 IAC 8-2-5

SECTION 1. 312 IAC 8-2-5 IS AMENDED AS FOLLOWS:

312 IAC 8-2-5 Alcoholic beverages

Authority: IC 14-10-2-4; IC 14-11-2-1

Affected: IC 14-18-2-3

Sec. 5. A person must not possess or consume an alcoholic beverage at any of the following locations:

(1) **Subject to subsections (4) and (6), Indiana Dunes State Park, except ~~on the licensed premises of a pavilion authorized by a location:~~**

(A) Identified in a permit issued pursuant to IC 7.1-3-17.8; or

(B) Designated in a lease and contract authorized under IC 14-18-2-3.

(2) Redbird State Recreation Area.

- (3) Interlake State Recreation Area.
- (4) A swimming beach or pool.
- (5) A shooting range.
- (6) A designated youth tent area.

(Natural Resources Commission; 312 IAC 8-2-5; filed Oct 28, 1998, 3:32 p.m.: 22 IR 740, eff Jan 1, 1999; readopted filed Nov 17, 2004, 11:00 a.m.: 28 IR 1315; readopted filed Mar 25, 2010, 2:58 p.m.: 20100421-IR-312100037RFA; filed Aug 18, 2011, 11:38 a.m.: 20110914-IR-312100668FRA; errata filed Oct 6, 2011, 2:38 p.m.: 20111019-IR-312110588ACA; filed Feb 11, 2014, 3:12 p.m.: 20140312-IR-312130294FRA)